

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

Request of North Carolina Telehealth)	
Network for Extension of Funding)	WC Docket No. 02-60
Deadline Under the Rural Health Care Pilot)	
Program)	

**COMMENTS OF THE UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES**

The University of Arkansas for Medical Sciences (“UAMS”) hereby submits its Comments in response to the Commission’s Public Notice dated November 2, 2009 in the above-captioned proceeding.¹

In the Public Notice, the Commission seeks comment regarding the request (the “NCTN Request”) of the North Carolina Telehealth Network (“NCTN”) for an extension of the June 30, 2010 deadline for funding commitment requests (the “2010 Deadline”) under the Commission’s Rural Health Care Pilot Program (“Pilot Program”). By these Comments, UAMS hereby supports the NCTN Request. In addition, UAMS urges the Commission to grant an extension of the 2010 Deadline for any Pilot Program participant who has complied with the program’s requirements in good faith, yet faces the possibility of not meeting the 2010 Deadline.

As the Commission is aware, the Arkansas Telehealth Network (“ATN”) has been selected by the Commission to develop and implement, via the Pilot Program, statewide telehealth connectivity among and between Arkansas’ hospitals, community health

¹ “Comment Sought on North Carolina Telehealth Network Request for Extension of the June 30, 2010 Deadline for Funding Commitment Requests Under the Rural Health Care Pilot Program”, WC Docket No. 02-60, DA 09-2362 (released November 2, 2009) (“Public Notice”).

centers, health departments, and other rural healthcare facilities. This comprehensive program involves the collaboration of 245 healthcare facilities, under the leadership of UAMS.² Accordingly, UAMS is well situated to comment on issues relating to the ability of Pilot Program participants to meet the impending 2010 Deadline.

The NCTN Request appears to be largely based on logistical issues and delays resulting from the merger of its program, which the Commission recently approved. NCTN concludes that there is a “serious risk” that it will not be able to meet the 2010 Deadline for the merged program, and that the mere existence of such risk may deter potential participant hospitals from participating in the program. NCTN Request, p.1.

UAMS respectfully submits that the Commission should take all reasonable steps to ensure that NCTN is afforded sufficient opportunity to complete all Pilot Program requirements so as to fulfill the goal of the program, which is to “stimulate deployment of the broadband infrastructure necessary to support innovative telehealth and, in particular, telemedicine services to those areas of the country where the need for those benefits is most acute.”³ Assuming that NCTN’s participation in the Pilot Program has been compliant, and its efforts to timely comply have occurred in good faith, a one year extension of the 2010 Deadline will help ensure that the goals of the Pilot Program are fulfilled and the citizens of North Carolina realize the benefits of NCTN’s proposal.

For the same reasons, the Commission should take all reasonable steps to ensure that all Pilot Program participants requiring a one year extension of the 2010 Deadline

² As the ATN is being implemented under the leadership of UAMS, “ATN” and “UAMS” will sometimes be referred to collectively as “UAMS” for the purpose of these Comments.

³ See *Rural Health Care Support Mechanism*, WC Docket No. 02-60, Order, FCC 07-198 (rel. Nov. 19, 2007).

should be granted such extension, as long as such participants are compliant and their efforts to timely comply have occurred in good faith. In this regard, with respect to the Arkansas Telehealth Network, a request has been filed with the Commission seeking Commission consent to extend the 2010 Deadline,⁴ and certain other Pilot Program participants have filed similar requests.⁵ As to the ATN Request, although certain progress has been made and the participant has in good faith attempted to timely comply with all program requirements, significant delays in the process have placed timely compliance with the 2010 Deadline in jeopardy. As set forth in greater detail in the ATN Request, the delay involves a number of factors, including (i) lengthy review of the network design RFP; and (ii) staggered adoption and implementation of requirements and details associated with participant sustainability plans.⁶ In order to ensure that the goals of the Pilot Program are fulfilled, UAMS respectfully submits that the Commission should also grant the ATN Request, as well as any other request for an extension submitted by similarly-situated Pilot Program participants.

⁴ See “Request for One Year Extension of Funding Commitment Deadline to June 30, 2011 and Request for Waiver of Three Funding Year Requirement” filed by ATN/UAMS on November 16, 2009 (the “ATN Request”).

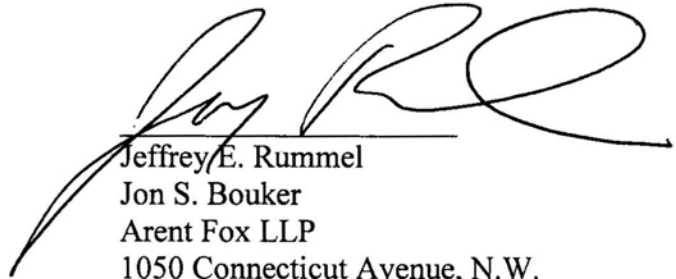
⁵ UAMS understands that extension requests have also been filed by the New England Telehealth Consortium, the Oregon Health Network, and the Alaska Native Tribal Health Consortium.

⁶ See ATN Request, at p.2.

WHEREFORE, for the foregoing reasons, the Commission should grant the NCTN Request for an extension of the 2010 Deadline for that program, and similarly grant an extension of the 2010 Deadline for any Pilot Program participant who has complied with the program's requirements in good faith, yet faces the possibility of not meeting the 2010 Deadline.

Respectfully submitted,

**THE UNIVERSITY OF
ARKANSAS FOR MEDICAL
SCIENCES
(Arkansas Telehealth Network)**

A handwritten signature in black ink, appearing to read 'Jeffrey E. Rummel', is written over a horizontal line. The signature is stylized with large, sweeping loops.

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Dated: November 16, 2009